

## H. RES.

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### H.R. 4137 - College Opportunity and Affordability Act of 2007

1. Structured rule.
2. Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor.
3. Waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI.
4. Provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor, now printed in the bill, shall be considered as an original bill for the purpose of amendment and shall be considered as read.
5. Waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).
6. No amendments shall be in order except those amendments printed in the Rules Committee report accompanying the resolution and the amendments en bloc.
7. Provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.
8. Waives all points of order against the amendments printed in the report and the amendments en bloc except for clauses 9 and 10 of rule XXI.

9. Provides that the chairman of the Committee on Education and Labor may offer at any time amendments en bloc consisting of amendments printed in the Rules Committee report accompanying the resolution not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor or their designee, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments may insert a statement in the Congressional Record immediately before the disposition of the amendment en bloc.
10. Provides one motion to recommit with or without instructions.
11. Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.
12. Provides that H.Res. 941 is laid on the table.

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## RESOLUTION

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4137) to amend and extend the Higher Education Act of 1965, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule.

Sec. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI.

(b) Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived except those arising under clause 9 or 10 of rule XXI.

Sec. 3. It shall be in order at any time for the chairman of the Committee on Education and Labor or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

Sec. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 5. During consideration in the House of H.R. 4137 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

Sec. 6. House Resolution 941 is laid upon the table.

**SUMMARY OF AMENDMENTS PROPOSED TO BE MADE IN ORDER**  
(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b>#</b>	<b>Description</b>	<b>Debate Time</b>
<b>1. Miller, George (CA):</b>	<b>#21</b>	<b>(REVISED)</b> The Manager's amendment makes technical changes to the bill, as well as changes to the provisions on college costs to a more consumer friendly approach, while keeping the focus on accountability; a revision to the definition of the state funds that count toward meeting the State Maintenance of Effort requirement; a revised technical amendment to Pell grant funding; modifications to the Cohort Default Rate provisions to provide for a transition period before the new sanctions are imposed and provide for targeted technical assistance to schools in danger of losing their federal student aid as a result of high Cohort Default Rates; provisions to ensure that students are aware of lower-cost federal student aid options before turning to more expensive private loans and a means to help students avoid potentially compromising their federal aid eligibility by inadvertently relying on private student loans or borrowing excess amounts of private student loans; and includes studies.	(20 minutes)
<b>2. McKeon (CA):</b>	<b>#57</b>	This amendment requires the National Research Council to conduct a study of the regulations on institutions of higher education.	(10 minutes)
<b>3. Kildee (MI):</b>	<b>#23</b>	The amendment authorizes discretion currently exercised by the Secretary of Education to reserve for competitive grants to Tribally Controlled Colleges and Universities for construction, maintenance, or renovation of campus facilities a percentage of funds appropriated for Tribal Colleges and Universities under Title III of the Higher Education Act.	(10 minutes)
<b>4. Petri (WI):</b>	<b>#9</b>	<b>(REVISED)</b> The amendment would require the existing Education-Treasury Study Group to evaluate the feasibility of an alternative market-based reform to the Federal Family Education Loan Program. The recommended alternative should reduce federal costs to taxpayers and use savings to increase need-based grant aid to low-income student.	(10 minutes)
<b>5. Petri (WI):</b>	<b>#8</b>	The amendment would extend the new audit and reporting	(10

provisions applied only to the Direct Loan program to the Federal Family Education Loan Program. minutes)

6. Castle (DE): #33 An amendment to require the Quality Efficiency Task Forces to develop annual benchmarks for the top 5 percent of institutions in each institution category that have the largest increase in their tuition and fees over the most recent three year period in which data is available. The amendment also requires those institutions not meeting the benchmarks to provide the Secretary of Education a detailed explanation of the reasons why the institution did not meet such benchmarks. (10 minutes)
7. Davis, Danny (IL): #54 (REVISED) An amendment to restore protections to private student loan borrowers similar to those afforded other unsecured debtors by allowing the discharge of private student loans via bankruptcy. (10 minutes)
8. Davis, Susan (CA): #12 This amendment will prevent interest from accruing for active duty service members and qualifying National Guard members for the duration of their activation up to 60 months when serving in a combat zone. (10 minutes)
9. Sestak (PA): #3 This amendment includes physical therapists as an occupation defined as an area of national need to qualify for student loan forgiveness under Sec. 428K of the Higher Education Act. (10 minutes)
10. Sestak (PA): #13 This legislation amends the articulation agreement strategies that may be employed by states and institutions of higher education to include management systems regarding course equivalency, transfer of credit, and articulation. (10 minutes)
11. Yarmuth (KY): #27 (REVISED) Provides competitive Teach to Reach grants to eligible partnerships to provide general education teacher candidates with the knowledge and skills to effectively instruct students with disabilities in their classrooms. Eligible partnerships must include an institution of higher education, a special education department within that institution, and a high-need local education agency. (10 minutes)
12. Hastings #38 The amendment authorizes a nationwide pilot program through (10

<b>(FL)/Sánchez, Linda (CA):</b>		the Department of Education to promote holistic community-centered partnerships aimed at mitigating gang violence and reducing recidivism rates among juvenile ex-offenders previously detained for gang-related offenses.	(minutes)
<b>13. Welch (VT):</b>	<b>#40</b>	<b>(REVISED)</b> Amendment would require annual reporting by colleges and universities on how much of their endowment was paid out each year for the purpose of containing college costs.	(10 minutes)
<b>14. Lantos (CA)/Watt (NC):</b>	<b>#37</b>	The amendment makes a technical correction to the Graduate Assistance in Areas of National Need (GAANN) program to clarify Congressional intent that a Masters Degree level institution or program is eligible to be the lead recipient of a grant under the GAANN program.	(10 minutes)
<b>15. Edwards (TX)/Boyda (KS):</b>	<b>#1</b>	Prohibits a state from charging members of the armed forces who are on active duty for more than 30 days and whose domicile or permanent duty station is in such state, and such members' dependents, more than the in-state tuition for attending a public institution of higher education (IHE) in that state. Provides that, even if such members' permanent duty station is subsequently changed to a location outside the state, they or their dependents must continue to be charged no more than the in-state tuition if they remain continuously enrolled at such IHE in the state.	(10 minutes)
<b>16. Johnson, Eddie Bernice (TX)/Young, Don (AK):</b>	<b>#5</b>	This amendment expands Pell Grant eligibility to children who lost a parent or guardian as a result of the conflicts in Iraq or Afghanistan. These children will be eligible for the maximum amount of Pell Grant assistance.	(10 minutes)
<b>17. Stupak (MI):</b>	<b>#11</b>	Provides federal student loan relief to borrowers who go into school administration in low-income school districts. Applies to any borrower who has been employed as a full-time school superintendent, principal, or other administrator for five consecutive complete school years in a school district in a low-income area.	(10 minutes)
<b>18. Doggett (TX):</b>	<b>#47</b>	<b>(REVISED)</b> The amendment encourages the prepopulation of FAFSA income and asset information, by taxpayer consent, with tax data provided directly from the IRS to the Department	(10 minutes)

of Education, and allows the Secretary of Education to provide for the use of second preceding tax year information.

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| <b>19. Baird (WA):</b>                  | #7 This amendment would direct the Secretary of Education to conduct a study on the costs and benefits of making student aid available to less than half-time students. The Secretary would then make recommendations on how to best design a demonstration loan program targeted for less than half-time students.  | (10 minutes) |
| <b>20. Inslee (WA):</b>                 | #17 <b>(REVISED)</b> Ensures that competitive Sustainability Planning Grants explicitly provide for “greenhouse gas emissions reductions” to reduce the threat of global warming and adds an eligibility requirement to FIPSE to ensure that institutions meet current energy efficiency standards. Additionally, includes a sense of Congress that the Federal Perkins Loan Program, which provides low-interest loans to help needy students finance a degree in higher education, should remain a campus-based aid program and to support increased funds to provide more low-income students with options. | (10 minutes) |
| <b>21. Crowley (NY):</b>                | #60 The amendment would allow community college students to have \$10 forgiven from their student loans for every hour they dedicate to mentoring an at-risk child.  | (10 minutes) |
| <b>22. Cooper (TN):</b>                 | #45 Increases the authorization level, from \$300 million to \$500 million, for the 103 Historically Black Colleges and Universities. Increases the authorization level, from \$100 million to \$125 million, for the 18 Historically Black Graduate Institutions.   | (10 minutes) |
| <b>23. Ryan, Tim (OH)/Altmire (PA):</b> | #22 Amendment creates a pilot competitive grant program (available to no more than 10 colleges) to assist institutions of higher education in setting up college textbook rental programs.   | (10 minutes) |
| <b>24. Van Hollen (MD)/Castle (DE):</b> | #4 This amendment authorizes Teach for America at \$20 million for FY09 and \$25 million for FY10.   | (10 minutes) |



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| <b>25. Gillibrand (NY):</b>                  | #32 | Institutions of Higher Education shall adopt a statement of current policy concerning the working relationship of campus security personnel with State and local law enforcement agencies for the investigation of felonies or a report of a missing student.  | (10 minutes) |
| <b>26. Murphy, Patrick (PA)/Myrick (NC):</b> | #14 | The amendment would help students and families plan financially for higher education by requiring that colleges provide information about the anticipated cost of a post-secondary degree. Institutions would have the option of offering either a multi-year tuition and fee schedule or a traditional, single-year tuition and fee schedule with a nonbinding, multi-year estimate of a student's net costs. | (10 minutes) |
| <b>27. Shuler (NC):</b>                      | #2  | To authorize a competitive grant program through the Department of Education that would allow institutions of higher education or consortia to create longitudinal data systems to efficiently and accurately manage, analyze, disaggregate, and use individual student data. The amendment authorizes programs in no more than five states for a period of three years.                                       | (10 minutes) |